

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: ORGANOGENESIS SECURITIES LITIGATION

C.A. No. 04-CV-10027 (JLT)

**DEFENDANTS' MOTION FOR LEAVE TO FILE UNDER SEAL**

Defendants Albert Erani, Philip Laughlin, Donna Lopolito, Michael Sabolinski and Alan Tuck ("Defendants"), by their attorneys, respectfully move this Court for leave to file under seal the following pleadings and other materials:

- Memorandum in Opposition to Plaintiffs' Motion For Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr.; and
- Affidavit of Kimberly I. Friday in Support of Memorandum in Opposition to Plaintiffs' Motion For Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr.

As grounds for this Motion, the Defendants state:

1. On July 26, 2006, the Court entered a Joint Protective Order to govern the handling of confidential material filed in the above-captioned action. Dkt. No. 142.
2. Paragraph 5 of the Joint Protective Order requires "a party filing any portions of briefs, pleadings or other filings with the Court that contain or refer to Confidential Material" to attempt to have the Confidential Material filed under seal.
3. The above-referenced documents contain excerpts from and references to deposition transcripts that are designated as Confidential Material.

WHEREFORE, Defendants respectfully request that this Court grant them leave to file the foregoing listed materials under seal.

Respectfully submitted,

Dated: September 14, 2006

/s/ Kimberly I. Friday  
Jeffrey B. Rudman (BBO # 433380)  
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LOCAL RULE 7.1(A)(2) CERTIFICATION

Pursuant to Local Rule 7.1(A)(2), counsel for Defendants, John Arcari, Herbert Stein and Plaintiffs have conferred, and all parties assent to this Motion.

CERTIFICATE OF SERVICE

I, Kimberly I. Friday, hereby certify that a true and correct copy of this document, filed through the ECF system, will be sent to the registered participants as identified on the Notice of Electronic Filing.

Dated: September 14, 2006

/s/ Kimberly I. Friday  
Kimberly I. Friday